



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

13 February 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ADEM = Alabama Department of Environmental Management
ARB = Air Resources Board
CARB = California Air Resources Board
CAA = Clean Air Act
CAAWG = Clean Air Act Working Group
Cal/EPA = California Environmental Protection Agency
CARB =
CCR = *California Code of Regulations*
CFR = *Code of Federal Regulations*
COMAR = *Code of Maryland Regulations*
CRNR = *California Regulatory Notice Register*
EPA = U.S. Environmental Protection Agency
FAA = Federal Aviation Administration
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
F.S. = Florida Statute
FY = Fiscal year
GHG = Greenhouse gas
GRC = Glenn Research Center
GSE = Ground support equipment
HCFC = Hydrochlorofluorocarbon
IRIS = Integrated Risk Information System
LAC = Louisiana Administrative Code
MDE = Maryland Department of the Environment
Md.R. = *Maryland Register*
NAAQS = National Ambient Air Quality Standards

NASA = National Aeronautics and Space Administration
NEPA = National Environmental Policy Act
NESHAP = National Emission Standards for Hazardous Air Pollutants
NOx = Nitrogen oxide
NPRM = Notice of Proposed Rulemaking
NSR = New Source Review
OEPA = Ohio Environmental Protection Agency
PFAC = Perfluoroalkyl carboxylate
PFAS = Perfluoroalkyl sulfonate
PM = Particulate matter
PSD = Prevention of significant deterioration
RIN = Regulatory Identification Number
RoC = Report on Carcinogens
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SIP = State Implementation Plan
SJRWMD = St. Johns River Water Management District
SNUR = Significant New Use Rule
SPCC = Spill prevention, control, and countermeasures
TBD = To be determined
TCEQ = Texas Commission on Environmental Quality
TexReg = *Texas Register*
U.S. = United States
Va.R. = *Virginia Register*
VDEQ = Virginia Department of Environmental Quality
VOC = Volatile organic compound

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed021309-1	CAA NAAQS-Ozone	02/12/2009	74 FR 7027	Notice	Proposed Rule To Implement the 1997 8-Hour Ozone NAAQS: Revision on Subpart 1 Area Reclassification and Anti-Backsliding Provisions Under Former 1-Hour Ozone Standard; Proposed Deletion of Obsolete 1-Hour Ozone Standard Provision Announces public hearing on a proposal (74 FR 2936 , 01/16/2009) to revise the rule for implementing the 1997 8-hour ozone NAAQS. Hearing to be held 03/02/2009 in Washington, D.C. Extends public comment period to 04/01/2009.	
Fed021309-2	CAA NESHAP-Foundries	02/09/2009	74 FR 6509	Proposed Rule	Revision of Source Category List for Standards Under Section 112(k) of the CAA; NESHAP: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries [40 CFR Part 63] Revises the area source category list by changing the name of the "Secondary Aluminum Production" category to "Aluminum Foundries" and the "Nonferrous Foundries, not elsewhere classified" category to "Other Nonferrous Foundries." Proposes emission standards for the Aluminum Foundries, Copper Foundries, and Other Nonferrous Foundries area source categories. Comments due 03/11/2009 unless a hearing is requested by 02/19/2009. If a hearing is requested, comments due 03/26/2009. [RIN 2060-AO93]	
Fed021309-3	CAA PSD and NSR-Aggregation	02/13/2009	74 FR 7193	Notice	PSD and Nonattainment NSR: Aggregation [40 CFR Parts 51 and 52] Convenes a proceeding for reconsideration of the NSR Aggregation Amendments (74 FR 2376 , 01/15/2009). This rule describes when a source must combine physical changes and changes in the method of operation for determining whether the source is a single change under NSR and will result in a significant emissions increase. Comment period and hearing date to be announced. [RIN 2060-AL75]	
Fed021309-4	CAA PSD and NSR-Aggregation	02/13/2009	74 FR 7283	Notice	PSD and Nonattainment NSR: Aggregation [40 CFR Parts 51 and 52] Delays the effective date of the NSR Aggregation Amendments (74 FR 2376 , 01/15/2009) to 05/18/2009. Effective date is being delayed because EPA has convened a proceeding for reconsideration of the amendments (see above). [RIN 2060-AL75]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed021309-5	Carcinogens Cobalt-tungsten Carbide	02/11/2009	74 FR 6886	Notice	<p>Department of Health and Human Services</p> <p>National Toxicology Program: Report on Carcinogens (RoC); Request for Public Comments on the RoC Expert Panel's Recommendation on Listing Status for Cobalt-Tungsten Carbide Powders and Hard Metals in the 12th RoC and the Scientific Justification for the Recommendation</p> <p>Requests public comment both on the recommendation to list powders and hard metals of cobalt-tungsten carbide as "reasonably anticipated to be a human carcinogen" in the 12th RoC, and on the scientific justification for that recommendation. Cobalt-tungsten carbide hard metals are used primarily in cutting tools and wear-resistant parts. Occupational exposure to cobalt-tungsten carbide hard-metal particles can occur during hard-metal production, recycling of hard-metal products, and grinding and sharpening of hard-metal tools. The recommendation and scientific justification are available on the National Toxicology Program website. Comments due 03/30/2009.</p> <p>Listing of these particles as carcinogens could drive more stringent exposure standards, which potentially could affect sanding, grinding, drilling, and other operations involving hard-metal particles.</p>	NASA Centers and Programs should be aware of this recommendation.
Fed021309-6	Construction Federal Construction Projects	02/11/2009	74 FR 6985	Executive Order	<p>Executive Order 13502--Use of Project Labor Agreements for Federal Construction Projects</p> <p>Requires federal agencies to consider requiring the use of project labor agreements in connection with large-scale construction projects. Signed 02/06/2009.</p>	
Fed021309-7	Endangered Species Act	02/05/2009	74 FR 6122	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Partial 90-day Finding on a Petition to List 206 Species in the Midwest and Western United States as Threatened or Endangered with Critical Habitat [50 CFR Part 17]</p> <p>Announces a 90-day finding on 165 species from a petition to list 206 species in the mountain-prairie region of the United States as threatened or endangered. For these 165 species, the petition does not present substantial scientific or commercial information indicating that listing may be warranted; therefore, no further status review will be initiated in response to this petition. Findings will be made on the remaining 39 species at a later date.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed021309-8	Endangered Species Act	02/11/2009	74 FR 6917	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 5-year Reviews of 23 Southwestern Species</p> <p>Announces 5-year reviews of 23 southwestern species listed under the Endangered Species Act of 1973. The purpose of the reviews is to ensure that the classification of species as threatened or endangered is accurate. Comments due 05/12/2009.</p>	
Fed021309-9	Energy Electric Transmission	02/02/2009	74 FR 5826	Notice	<p>U.S. Department of Energy</p> <p>Technical Conference; Design Concepts of Future Electric Transmission</p> <p>Announces a technical conference to discuss the design of future electric transmission. Discussions will focus on the likely demand for future electric transmission and whether the development of conceptual alternative extra-high-voltage systems would assist generation developers, state energy policy officials, utility planners, and other stakeholders. Conference to be held 03/04/2009 in the Washington, D.C. area.</p>	
Fed021309-10	NEPA	02/04/2009	74 FR 5991	Direct Final Rule	<p>Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions [40 CFR Part 6]</p> <p>Makes corrections to the rule entitled, <i>"Procedures for Implementing the NEPA and Assessing the Effects Abroad of EPA Actions."</i> Expands the definition of "applicants" to include those who request EPA approvals. Clarifies that a categorical exclusion includes vacant land. Corrects the text to indicate that the number of extraordinary circumstances is 10. Expands Subpart C to apply to EPA approvals, as well as permits and assistance grants. Effective 04/06/2009 unless adverse comment received by 03/06/2009. [RIN 2020-AA48]</p>	
Fed021309-11	Oil Pollution Prevention	02/09/2009	74 FR 6358	Correction	<p>U.S. Coast Guard</p> <p>Pollution Prevention Equipment [46 CFR Part 162]</p> <p>Makes a correction to interim rule (74 FR 3364, 01/16/2009) amending oil pollution prevention regulations. [RIN 1625-AA90]</p>	
Fed021309-12	Oil Pollution Prevention SPCC Regulations	02/03/2009	74 FR 5900	Final Rule Request for Comment	<p>Oil Pollution Prevention; Non-transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasure Rule--Final Amendments [40 CFR Part 112]</p> <p>Delays the effective date of the final rule amending the SPCC regulations (73 FR 74235, 12/05/2008) to 04/04/2009. Also requests public comment on the extension of the effective date and its duration, and on the regulatory amendments contained in the final rule. Effective 02/03/2009. [RIN 2050-AG16]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed021309-13	Reactive Nitrogen	02/10/2009	74 FR 6623	Notice	<p>Science Advisory Board Staff Office; Notification of a Public Teleconference of the Science Advisory Board; Integrated Nitrogen Committee</p> <p>Announces a public teleconference to discuss the Science Advisory Board Integrated Nitrogen Committee draft report. The report addresses environmental problems presented by reactive nitrogen and provides recommendations related to an integrated nitrogen management strategy. At the global scale, reactive nitrogen from human activities now exceeds that produced by natural terrestrial ecosystems. Reactive nitrogen both benefits and affects the health and welfare of people and ecosystems. Scientific information suggests that reactive nitrogen is accumulating in the environment and that nitrogen cycling through biogeochemical pathways has a variety of consequences. Teleconference to be held 03/04/2009.</p>	
Fed021309-14	Regulatory Review	02/03/2009	74 FR 5975	Notice	<p>Memorandum for the Heads of Executive Departments and Agencies</p> <p>Publication of a memo from the Office of the President, dated 01/30/2009. The memorandum directs the Office of Management and Budget, in consultation with representatives of regulatory agencies, to produce within 100 days a set of recommendations for a new Executive Order regarding federal regulatory review. Requests the recommendations offer suggestions for the following:</p> <ul style="list-style-type: none"> ▪ Relationship between the Office of Information and Regulatory Affairs and federal agencies ▪ Guidance on disclosure and transparency ▪ Encouragement of public participation in agency regulatory processes ▪ Role of cost-benefit analysis ▪ Role of distributional considerations, fairness, and concern for the interests of future generations ▪ Methods of ensuring that regulatory review does not produce undue delay ▪ Role of the behavioral sciences in formulating regulatory policy ▪ Best tools for achieving public goals through the regulatory process 	
Fed021309-15	Regulatory Review	02/04/2009	74 FR 6113	Executive Order	<p>Presidential Documents</p> <p>Revocation of Certain Executive Orders Concerning Regulatory Planning and Review</p> <p>Revokes Executive Order 13258 and Executive Order 13422, which concern regulatory planning and review.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed021309-16	Supersonic Aircraft	02/12/2009	74 FR 7092	Notice	Federal Aviation Administration Civil Supersonic Aircraft Panel Discussion Announces that the FAA will be participating in a panel session regarding civil supersonic aircraft research. The purpose of this panel session is to raise public awareness about advances in supersonic technology, and for the FAA, NASA, and industry to get feedback from interested persons. Panel discussion to be held 03/01/2009 in Palm Springs, California, as part of the Annual University of California Symposium on Aviation Noise and Air Quality .	
Fed021309-17	Toxic Substances Platinum Salts and Platinum Compounds	02/05/2009	74 FR 6154	Notice	Draft Toxicological Review of Halogenated Platinum Salts and Platinum Compounds: In Support of the Summary Information in the Integrated Risk Information System Announces a public comment period for the external review draft document titled, "Toxicological Review of Halogenated Platinum Salts and Platinum Compounds: In Support of Summary Information on the Integrated Risk Information System (IRIS)." Comments due 04/06/2009.	
Fed021309-18	Toxic Substances Toxicological Profiles	02/02/2008	74 FR 5840	Notice	Agency for Toxic Substances and Disease Registry Availability of Final Toxicological Profiles Announces the availability of the following final toxicological profiles of priority hazardous substances: <ul style="list-style-type: none"> Aluminum (updated profile) Cresols (updated profile) Diazinon (updated profile) Dichloropropenes (updated profile) Guthion (new profile) Phenols (updated profile) 1,1,2,2-Tetrachloroethane (new profile) 	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to [Sharon Scroggins](#).

Significant Dates <i>italic = target date</i>		Subject Action [RIN]	Type of Action	Comments
NPRM	<i>03/2009</i>	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	<i>09/2009</i>			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	<i>TBD</i>	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	<i>TBD</i>			Would require containers of materials containing HCFCs to bear warning statements.

Significant Dates <i>italic = target date</i>		Subject Action [RIN]	Type of Action	Comments
NPRM	<i>03/2009</i>	NESHAP: Risk and Technology Review, Phase II Group 2B [2060-AO92]	Pre-rule	Possible space vehicle materials or operations impacts.
Final Action	<i>06/2010</i>			Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on operations subject to the Aerospace NESHAP, including coating, stripping, and cleaning of space flight hardware.
NPRM	10/10/2008 73 FR 60431	NESHAP: Risk and Technology Review, Phase II Group 2A [2060-AO91]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>01/2009</i>			Evaluation of residual risk remaining after implementation of NESHAP regulations. Includes the manufacture of various types of elastomers, such as Hypalon™. Proposes no further restrictions on covered sources; however, public comments could influence the addition of restrictions during the comment period.
NPRM	10/06/2008 73 FR 58351	Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>01/2009</i>			Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.
NPRM	01/03/2007 72 FR 69	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	<i>05/2009</i>			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006 71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	<i>08/2009</i>			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

None to report.

1.4 Working Group Updates

As a result of the results of CAAWG feedback provided at the Environmental and Energy Conference and from the survey sent out last fall, the CAAWG will have a multi-media environmental focus in 2009. The working group, for Center environmental staff, will focus on a variety of multimedia subject matter, emerging regulations, and regulatory refresher presentations. The topics for each call will be announced in advance so that the appropriate environmental media representatives can attend.

Calls in 2009 will be held on the following Wednesdays at 1 p.m. CST:

- Feb 18
- March 4
- March 18
- April 1
- April 15
- May 20
- June 17
- July 1
- July 15
- August 5
- August 19
- September 2
- September 16
- October 7
- October 21
- November 4
- November 18
- December 2

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL021309-1	Solid Waste	01/30/2009	AAM Vol. XXVII, No. 4, p. 132	Proposed Rule	335-ADEM 13-Solid Waste Program 11-Solid Waste Fund Site Remediation Proposes to create 335-13-11 Solid Waste Fund Site Remediation to establish procedures for the disbursement of monies from the Solid Waste Fund for use in assessing, investigating, conducting necessary remediation, and achieving closure of unauthorized solid waste dumps. A list of specific changes can be found in the Division 13 document. A public hearing will be held 03/11/2009 at ADEM, Montgomery, Alabama. Comments due 03/11/2009.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA021309-1	Air Gasoline Dispensing Facilities	02/06/2009	CRNR 2009, 6z, p. 208	Notice	Air Resources Board Notice of Postponement Regarding Gasoline Dispensing Facility Hoses Notice that hearing has been postponed to 05/28/2009 at Cal/EPA in Sacramento, California. Further information is available on the rulemaking website .	
CA021309-2	Air Locomotives, Railyards	02/06/2009	CRNR 2009, 6z, p. 213	Notice	Air Resources Board Request for Reconsideration of the Denial of the Petition Request for reconsideration was granted and directs ARB staff to present to the Board a plan to achieve significant locomotive and railyard emission reductions.	
CA021309-3	Air Motor Vehicles	02/06/2009	CRNR 2009, 6z, p. 205	Notice	Air Resources Board Tire Pressure Regulations [17 CCR 95550] Public hearing to consider adoption of a regulation to reduce GHG emissions from vehicles operating with under-inflated tires will be held 03/26/2009 at Cal/EPA in Sacramento, California. Further information is available on the rulemaking website .	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA021309-4	Air Motor Vehicles– Greenhouse Gases	02/12/2009	74 FR 7040	Notice	<p>U.S. Environmental Protection Agency</p> <p>California State Motor Vehicle Pollution Control Standards; Greenhouse Gas Regulations; Reconsideration of Previous Denial of a Waiver of Preemption</p> <p>Initiates reconsideration of the denial of a waiver requested by CARB. The CAA preempts states from adopting emission standards for new motor vehicles and motor vehicle engines, but requires EPA to waive this preemption in certain cases. CARB adopted GHG emission regulations for passenger cars, light-duty trucks, and medium-duty passenger vehicles beginning with the 2009 model year, and submitted a request that EPA grant a waiver for these regulations. EPA denied this request on 03/06/2008. A public hearing regarding the request is to be held 03/05/2009. Comments due 04/06/2009.</p>	
CA021309-5	Childhood Lead	02/13/2009	CRNR 2009, 7z, p. 271	Final Regulation	<p>Department of Public Health</p> <p>Childhood Lead Poisoning Prevention Fee [Title 17 CCR ADOPT: 33060 AMEND: 33007, 33010, 33020, 33025, 33030, 33040]</p> <p>Imposes upon manufacturers and other persons that formerly engaged or currently engage in the stream of commerce of lead or products containing lead or who are otherwise responsible for identifiable sources of lead. Effective 01/29/2009.</p>	
CA021309-6	Proposition 65 1,2,3-Trichloro-propane	02/06/2009	CRNR 2009, 6z, p. 210	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>1,2,3-Trichloropropane Public Health Goal in Drinking Water</p> <p>Announces the availability of a revised draft technical support document. Further information is available in the notice. Comments due 03/09/2009.</p>	
CA021309-7	Proposition 65 Lead, Oxamyl, Pentachloro-phenol, Trichloro-ethylene	02/06/2009	CRNR 2009, 6z, p. 211	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Lead, Oxamyl, Pentachlorophenol, and Trichloroethylene, in Drinking Water</p> <p>Announces availability of revised draft technical support documents for lead, oxamyl, pentachlorophenol, and trichloroethylene. Further information is available in the notice. Comments due 03/09/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA021309-8	Waste Electronic Devices	02/13/2009	CRNR 2009, 7z, p. 271	Final Regulation	<p>Department of Toxic Substances Control</p> <p>Consolidated Universal Waste & Authorization of Electronic Hazardous Waste [Title 22 CCR ADOPT 66260.201, 66260.202, 66273.7, 66273.33.5, 66273.41, 66273.70, 66273.71, 66273.72, 66273.73, 66273.74, 66273.75, 66273.76, and 66273.77 AMEND: 66260.10, 66260.23, 66261.4, 66261.9, 66261.50, appendix X of chapter 11, 66264.1, 66265.1, 66273.1, 66273.2, 66273.3, 66273.4, 66273.5, 66273.6, 66273.8, 66273.9, 66273.30, 66273.31, 66273.32, 66273.33, 66273.34, 66273.35, 66273.36, 66273.37, 66273.38, 66273.39, 66273.40, 66273.51, 66273.52, 66273.53, 66273.54, 66273.55, 66273.56, 66273.60, 66273.61, 66273.62, and 67100.2 REPEAL: 66273.7.1, 66273.7.2, 66273.7.3, 66273.7.4, 66273.7.5, 66273.7.6, 66273.7.7, 66273.7.8, 66273.7.9, 66273.7.10, 66273.10, 66273.11, 66273.12, 66273.13, 66273.14, 66273.15, 66273.16, 66273.17, 66273.18, 66273.19, 66273.20, 66273.21, 66273.41, 66273.70, 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.88, 66273.89, and 66273.90]</p> <p>Makes permanent the previous emergency regulatory actions and makes additional changes to regulations dealing with the authorized treatment of universal waste electronic devices and notification requirements for manufacturers of covered electronic devices under the Electronic Waste Recycling Act of 2003. Makes permanent the prohibition of covered electronic devices from being sold or offered for sale in California if the electronic device is prohibited from being sold or offered for sale in the European Union pursuant to specified European Union documents; also makes permanent the list of electronic devices that are presumed to be hazardous wastes, and that are also "covered electronic devices." Further information is available on the rulemaking website.</p> <p>In part, this rule finalizes California requirements similar to the European Union's "Restriction on Hazardous Substances" regulation. This may affect the ability to purchase electronic components and products made with certain heavy metals, including tin-lead solder and other lead-containing surface finishes, in the state.</p>	NASA Centers and Programs operating in California should be aware of this rule.

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL021309-1	Aboveground Storage Tanks	02/13/2009	FAW Notice #6738510	Notice Workshop	<p>Chapter 62–FDEP 762–Aboveground Storage Tank Systems</p> <p>Announces a workshop to discuss revisions to Chapter 62-762 Aboveground Storage Tanks, including removing language for upgrading systems prior to the 01/01/2010 deadline to simplify the rule by doing the following:</p> <ul style="list-style-type: none"> ▪ Update reference standards ▪ Create valid registration requirements ▪ Revise upgrade deadlines and requirements for field-erected tanks ▪ Revise periodic integrity testing ▪ Revise release detection requirements into one section ▪ Revise piping pressure testing requirements ▪ Revise record-keeping timeframes ▪ Update closure assessment requirements ▪ Update forms <p>The workshop will be held 03/04/2009 in Tallahassee, Florida.</p>	
FL021309-2	Air Greenhouse Gases	02/06/2009	FAW Notice #6762857	Final Rule	<p>Chapter 62–FDEP 285–Greenhouse Gas Emissions Reduction 400–Adoption of California Motor Vehicle Emissions Standards</p> <p>Finalizes amendments that will require new motor vehicles delivered to Florida for sale, lease, or rent to meet emission standards, including a fleet-wide average emission standard for GHGs. Effective 02/15/2009.</p>	
FL021309-3	Air Permits	02/13/2009	FAW Notice #6757328	Notice Development of Rulemaking	<p>Chapter 62–FDEP 212–Stationary Sources–Preconstruction Review</p> <p>Proposes amendments to rule language in Chapter 62-212, F.A.C., to update FDEP's air construction permitting rules in response to EPA's conditional approval of Florida's new source review SIP. A workshop will be held 02/27/2009 at FDEP, Tallahassee, Florida.</p>	
FL021309-4	Air Permits	02/13/2009	FAW Notice #6754806	Notice Development of Rulemaking	<p>Chapter 62–FDEP 210–Stationary Sources–General Requirements</p> <p>Proposes amendments to rule language in Chapter 62-210, F.A.C., to update FDEP's air construction permitting rules in response to EPA's conditional approval of Florida's new source review SIP. A workshop will be held 02/27/2009 at FDEP, Tallahassee, Florida.</p>	
FL021309-5	Storm Water Permits	02/06/2009	FAW Notice #6763245	Final Rule	<p>Chapter 62–FDEP 621–Generic Permits</p> <p>Finalizes the following amendments:</p> <ul style="list-style-type: none"> ▪ Revise FDEP Forms 62-621.300(4)(b), 62-621.300(5)(b), and 62-621.300(6) to allow applicants to submit the form(s) using FDEP's electronic permitting application. ▪ Provide minor clean up of existing language in the forms and document number 62-621.300(4)(a), Generic Permit for Storm Water Discharge from Large and Small Construction Activities. <p>Effective 02/07/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL021309-6	Underground Storage Tanks	02/13/2009	FAW Notice #6730168	Notice Workshop	<p>Chapter 62–FDEP 761–Underground Storage Tank Systems</p> <p>Announces a workshop to discuss revisions to Chapter 62-761 Underground Storage Tanks, including removing language for upgrading systems prior to the 12/31/2009 deadline to simplify the rule by doing the following:</p> <ul style="list-style-type: none"> ▪ Update reference standards ▪ Create valid registration requirements ▪ Revise periodic integrity testing ▪ Revise release detection requirements into one section ▪ Revise record-keeping timeframes ▪ Update closure assessment requirements ▪ Update forms <p>The workshop will be held 03/03/2009 in Tallahassee, Florida.</p>	
FL021309-7	Wastewater Facilities Permits	02/13/2009	FAW Notice #6763148	Final Rule	<p>Chapter 62–FDEP 620–Wastewater Facility and Activities Permitting</p> <p>Finalizes the following amendments:</p> <ul style="list-style-type: none"> ▪ Revise the DEP Form 62-620.910(17) and paragraph 62-620.100(2)(o), F.A.C., to allow applicants to submit the form(s) using FDEP's electronic permitting application. ▪ Provide minor clean-up of existing language. Effective 02/17/2009. 	
FL021309-8	Water SJRWMD	02/06/2009	FAW Notice #6744136	Notice Meeting	<p>Chapter 40C–SJRWMD</p> <p>Announces a public meeting to review land management and land acquisition activities in the Southern Region, scheduled for 02/10/2009 in Viera, Florida.</p>	
FL021309-9	Water SJRWMD	02/06/2009	FAW Notice #6734727	Notice Workshop	<p>Chapter 40C–SJRWMD 1–Organization and Procedure</p> <p>Announces a workshop to discuss proposed amendments to 40C-1.603 Permit Fees that would do the following:</p> <ul style="list-style-type: none"> ▪ Increase the fee for all noticed general environmental resource permits to \$250. ▪ Create a \$100 fee for District verification that an activity is exempt from regulation. ▪ Create a \$100 fee for an informal wetland boundary determination. ▪ Increase each application fee authorized under Part IV of Chapter 373, F.S., based on a Consumer Price Index. ▪ Establish the Consumer Price Index used for calculating those fees increases. ▪ Clarify that the application fee for proprietary authorization to use state-owned lands under Chapters 253 and 258, F.S., are provided in Chapter 18-21, F.A.C. <p>The workshop will be held 03/25/2009 in Altamonte Springs, Florida.</p>	

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Hawaii.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
HA021309-1	Endangered Species Hawaiian Hawk	02/11/2009	74 FR 6853	Proposed Rule Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Removing the Hawaiian Hawk from the Federal List of Endangered and Threatened Wildlife [50 CFR Part 17] Announces availability of a draft post-delisting monitoring plan for the Hawaiian Hawk and reopens the comment period on the proposed delisting action [73 FR 45680]. Comments due 04/13/2009 on both the proposed rule and draft plan. Further information on the draft plan can be downloaded from the U.S. Fish and Wildlife Service website . [RIN 1018-AU96]	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA021309-1	Air Air Emissions Inventory Data Submittals	02/20/2009	0902pot1	Notice	Louisiana Department of Environmental Quality Air Emissions Inventory [LAC 33:III.919 and 5107] Extends the deadline for submittal of the Criteria and Toxic Air Pollutant Emissions Inventories, including the discharge report, for calendar year 2008. The original deadline was 03/31/2009; the new deadline is 06/30/2009. Further information is available in the administrative notice for this action.	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MA021309-1	Administrative Permits	02/13/2009	36:3 Md.R. 369	Notice	Maryland Department of the Environment Standard Permit Application Turnaround Times Announces changes to the turnaround times for calendar year 2009 for the following permits: <ul style="list-style-type: none"> Air Quality Permit to Construct-added a new category for minor source permits with 120-day turnaround time General Permit Registration for Industrial Wastewater Discharge-turnaround time increased to 180 days Individual Permit for Wastewater Discharges-turnaround time increased to 24 months Part 70 (Title V) Permit to Operate-turnaround time reduced to 12 months 	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MA021309-2	Air VOCs	02/13/2009	36:3 Md.R. 362	Proposed Action	Maryland Department of the Environment Volatile Organic Compounds from Adhesives and Sealants Proposes to amend regulations under COMAR 26.11.35.02 to exempt single-ply roof membrane installation and repair adhesives, single-ply roof membrane sealants, and single-ply roof membrane adhesive primers from the standards for VOC content during the non-ozone season for the years 2009, 2010, and 2011. The proposed action affects manufacturers, suppliers, installers, and users of single-ply roofing materials. Public hearing will be held on 03/18/2009. Comments due 03/18/2009.	

2.6.1 Water Quality Infrastructure Program Announcement

Under the [Water Quality Infrastructure Program](#), MDE is soliciting applications for federal FY09/State FY11 Water Quality and Drinking Water Grants and Loans. Interested parties are invited to apply for capital project funding from various financial assistance programs administered by MDE and for possible new federal infrastructure stimulus package funding for ready-to-proceed projects. Project [pre-applications](#) for water, sewer, and non-point source capital projects, including federal stimulus projects, are due 28 February 2009. Additional information is posted on the [program website](#).

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH021309-1	Air NAAQS-Ozone	02/04/2009	News Release	Notice	Division of Air Pollution Control, OEPA Public Hearing-Comments on Proposed Ozone Non-attainment Areas Announces public hearing regarding OEPA's draft recommendation to designate 31 counties, including Cuyahoga County, as nonattainment under the 2008 federal ozone standard finalized in March 2008 by EPA. Public hearing is scheduled for 02/12/2009. Comments due 02/16/2009.	GRC should be aware of the draft recommendation.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH021309-2	Air Title V Permit	02/04/2009	Public Notice	Notice	Division of Air Pollution Control, OEPA Application of Title V Permit: NASA John H. Glenn Research Center–Lewis Field Announcement that OEPA received a Title V permit renewal application for NASA GRC. The identification number for the permit application is A0036165.	

2.9.1 Quarterly Newsletter

Ohio EPA's Division of Hazardous Waste Management has published the [Winter 2009 issue](#) of its newsletter, the *Notifier*. This issue includes articles on the following:

- Definition of Solid Waste Rule Finalized
- Going Green While Saving Green
- Ohio's Audit Privilege Law
- Compliance Assistance Centers
- What to do if Your Business is Closing
- Managing Financial Assurance in a Tough Economy
- Processing Environmental Covenants

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX021309-1	Water Quality Water Quality Management Plan	02/06/2009	34 TexReg 873	Notice	Notice of Availability of the Draft January 2009 Update to the Water Quality Management Plan for the State of Texas Announces the availability of the draft January 2009, " Update to the Water Quality Management Plan for the State of Texas ." Comments due 03/09/2009.	

2.10.1 Severe Nonattainment Area Fee

TCEQ is seeking stakeholder input about issues related to the penalty fee that major stationary sources in the Houston-Galveston-Brazoria severe ozone nonattainment area may face. Under the CAA, major stationary sources in a severe ozone nonattainment area are subject to the penalty fee if the area fails to attain the NAAQS by the attainment date. The required penalty is \$5,000 (as adjusted by the consumer price index) per ton of VOC or NO_x emitted in excess of 80 percent of the stationary source's baseline emissions. A stationary source's baseline emissions may be calculated as either the average actual or average allowable emissions. Emissions-based alternatives to the fee-based rule will be considered.

A Stakeholder Group Meeting has been scheduled for 4 March 2009. More information about the meeting follows.

Section 185 Severe Nonattainment Area Fees Stakeholder Group Meeting

- 4 March 2009, 2:00 p.m.
- Houston-Galveston Area Council
3555 Timmons, Room A
Houston, TX 77027
- Draft Meeting Agenda
 - Opening Remarks
 - Section 185 Fees Overview
 - Overview of Issues and Options to Fee-based Program
 - Open Discussion
 - Closing Remarks

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA021309-1	Air NAAQS– Ozone, PM	02/04/2009	VDEQ website	Public Notice	VDEQ Proposes that data collected in 06/2008 and 07/2008 were affected by exceptional events (wildfires) and should not be used in making determinations regarding NAAQS. Comments due 03/05/2009.	